

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW MEXICO**

BRUNO RAPHOZ,

Plaintiff,

v.

No. 1:21-cv-00553-WJ-JFR

FORREST FENN,  
SHILOH OLD,  
JONATHAN STUEF, and  
DAN BARBARISI,

Defendants.

**MEMORANDUM OPINION AND ORDER OF DISMISSAL**

**THIS MATTER** comes before the Court on *pro se* Plaintiff's failure to timely file an amended complaint and pay the filing fee.

United States Magistrate Judge John F. Robbenhaar notified Plaintiff that his Complaint should be dismissed for failure to state a claim upon which relief can be granted and for lack of jurisdiction because the Complaint does not state what Defendants did, why Plaintiff is entitled to relief, or the grounds for the Court's jurisdiction. *See* Order, Doc. 6, filed June 22, 2021.

"Plaintiff informed the Clerk's Office that he filed his IFP Motion in error and that he intends to pay the filing fee." Doc. 6 at 2.

Judge Robbenhaar ordered Plaintiff to file an amended complaint and pay the filing within 21 days and notified Plaintiff that failure to timely file an amended complaint or timely pay the filing fee may result in dismissal of this case. *See* Doc. 6.

Plaintiff did not file an amended complaint in response to Judge Robbenhaar's Order<sup>1</sup> or pay the filing fee by the July 13, deadline.

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<sup>1</sup> Plaintiff filed his original Complaint on June 16, 2021. On June 16, 2021, before Judge Robbenhaar ordered

**IT IS ORDERED** that this case is **DISMISSED** without prejudice.

  
**WILLIAM P. JOHNSON**  
**CHIEF UNITED STATES DISTRICT JUDGE**

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Plaintiff to file an amended complaint, Plaintiff mailed a slightly amended complaint to the Clerk which was docketed on June 28, 2021, as an Amended Complaint, *see* Doc. 8. The Amended Complaint fails to state a claim. Plaintiff has not filed an amended complaint in response to Judge Robbenhaar's Order.